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TESLA, INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TESLA, INC.,
v.
MARTIN TRIPP,
Plaintiff,
Defendant.

Case No. 3:18-cv-00296-LRH-CBC

**APPENDIX OF EXHIBITS IN SUPPORT
OF TESLA, INC.'S MOTION FOR
SUMMARY JUDGMENT OR, IN THE
ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT**

(VOLUME 1 of 3)

AND RELATED COUNTERCLAIMS

Plaintiff and Counterclaim Defendant, Tesla, Inc., submits an Appendix of Exhibits in Support of its Motion for Summary Judgment, or in the alternative, Partial Summary Judgment.

Ex	Description	Vol. #	Page Nos.
1	September 4, 2019 Martin Tripp Deposition Excerpts [Filed under seal]	1	MSJ_001-046
2	August 27, 2019 Nicolas Gicinto Deposition Excerpts [Filed under seal]	1	MSJ_047-081
3	January 22, 2019 Michael Persyn Deposition Excerpts	1	MSJ_082-086
4	September 6, 2019 Shamara Bell Deposition Excerpts	1	MSJ_087-102
5	June 5, 2019 Sarah O'Brien Deposition Excerpts	1	MSJ_103-109
6	Martin Tripp's June 14, 2018 interview with Nicolas Gicinto and Jake Nocon (TESS-TRIPP_0028450-739) [Filed under seal]	1	MSJ_110-147
7	Exhibit 74 to the deposition of Martin Tripp, screenshots of messages between Martin Tripp and James Uelmen (TES-TRIPP_0021837)	1	MSJ_148-149
8	Evelyn Cheng, <i>Tesla shares falls after Moody's downgrades credit rating</i> , CNBC.COM (Mar. 27, 2018)	1	MSJ_150-158
9	Sonari Ginton, <i>Out Of The Gate, Tesla Stumbles On Its Mass-Market Car</i> , NPR (Oct. 3, 2017)	1	MSJ_159-167
10	Neal E. Boudette, <i>For Tesla, 'Production Hell' Looks Like the Reality of the Car Business</i> , THE NEW YORK TIMES (April 3, 2018)	1	MSJ_168-170
11	Exhibit 70 to the deposition of Martin Tripp, the June 2, 2018 email correspondence between Martin Tripp and Michael Bowling, subject line: "Meet to discuss the following," (TRIPP00951-52) [Filed under seal]	1	MSJ_171-173
12	October 16, 2017 email correspondence and attachment between Michael Bowling and Martin Tripp, subject line: "FW Martin Tripp," (TES-TRIPP_0026707) [Filed under seal]	1	MSJ_174-177
13	Tesla Motor's Inc. Code of Business Conduct and Ethics (TRIPP00773-80) [Filed under seal]	1	MSJ_178-186
14	Tesla's Communications Policy and Confidentiality Agreement (TRIPP000781-84) [Filed under seal]	1	MSJ_187-191
15	Tesla Motors, Inc. Employee Proprietary Information and Inventions Agreement (TRIPP000820-23) [Filed under seal]	1	MSJ_192-196
16	July 27, 2017 Applicant Non-Disclosure Agreement with Tesla (GGL000140_0001) [Filed under seal]	1	MSJ_197-199
17	Exhibit 66 to the deposition of Martin Tripp, the February 20, 2018 email correspondence between Chris Guenther and Michael Bowling, subject line: "FW:3DU Stator NCM personnel issue(s)," (TES-TRIPP_0021669-70) [Filed under seal]	1	MSJ_200-202
18	March 8, 2018 email correspondence between Michael Bowling and Martin Tripp (TES-TRIPP_0021668) [Filed under seal]	1	MSJ_203-204
19	Exhibit 69 to the deposition of Martin Tripp, the May 25, 2018 email correspondence between Michael Bowling nad Martin Tripp (TES-TRIPP_0000846) [Filed under seal]	1	MSJ_205-206
20	May 25, 2018 email correspondence between Michael Bowling and Martin Tripp, subject line: "Verbal Warning follow up," (TES-TRIPP_00008460) [Filed under seal]	1	MSJ_207-208



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1	21	May 27, 2018 email correspondence from mtripp@tesla.com to martytripp@icloud.com , subject line: "Fwd: NCM updates-to help reduce NCM WIP level," (TES-TRIPP_00219091-92) [Filed under seal]	1	MSJ_209-211
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3	22	May 27, 2018 email correspondence from "Marty Tripp" to "Me," subject line: "T Scrap 2018," (GGL000248)	1	MSJ_212-213
4	23	May 27, 2018 email correspondence from Martin Tripp to llopez@businessinsider.com , subject line: "Pics," (GGL000092-GGL000092 0003) [Filed under seal]	1	MSJ_214-218
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6	24	Exhibit 26 to the deposition of Martin Tripp, the June 5, 2018 email correspondence from Martin Tripp to Linda Lorel, subject line: "Valeo robot being removed and pic of the query for all model 3's."	1	MSJ_219-220
7				
8	25	May 29, 2018 email correspondence from Martin Tripp to Linette Lopez, subject line: "Email to Elon," (GGL000098-GGL000098.0010) [Filed under seal]	1	MSJ_221-232
9	26	June 1, 2018 email correspondence from Martin Tripp to llopez@businessinsider.com , subject line: "Scrap Tableau," (GGL000243-GGL000243 0002.0002) [Filed under seal]	2	MSJ_233-253
10				
11	27	Exhibit 1 to the deposition of Martin Tripp, the May 27, 2018 email correspondence between Martin Tripp and Linette Lopez : "TESLA (From someone that works there)" [Filed under seal]	2	MSJ_254-255
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13	28	May 27, 2018 email correspondence between Martin Tripp and llopez@businessinsider.com , subject line: "T Scrap 2018," (GGL000077-GGL000077 0006) [Filed under seal]	2	MSJ_256-404
14	29	June 6, 2018 email correspondence between Kamran Mumtaz and Linette Lopez, subject line: "New machine from Germany," (TES-TRIPP_0012897-99)	2	MSJ_405-408
15				
16	30	Linette Lopez, <i>Internal documents reveal Tesla is blowing through an insane amount of raw material and cash to make Model 3s, and production is still a nightmare</i> , BUSINESS INSIDER (June 4, 2018)	2	MSJ_409-414
17				
18	31	Linette Lopez, <i>Tesla's new Gigafactory robots that are supposed to help it ramp up Model 3 production aren't working yet</i> , BUSINESS INSIDER (June 6, 2018)	2	MSJ_415-418
19				
20	32	June 6, 2018 email correspondence between Martin Tripp and Linette Lopez, subject line: "New machine from Germany," (GGL000158-GGL000158.0006)	2	MSJ_419-426
21	33	Text message correspondence between Martin Tripp and Linette Lopez, (TRIPP000873-892) [Filed under seal]	2	MSJ_427-447
22	34	June 19, 2018 email correspondence between noreplynotifications@tesla.com and Martin Tripp, subject line: "Information for Employees Departing Tesla,"	2	MSJ_448-449
23				
24	35	Exhibit 58 to the deposition of Martin Tripp, the June 20, 2018 email correspondence between Martin Tripp and Julia Carrie Wong, subject line: "Termination/Lawsuit"	2	MSJ_450-452
25	36	Exhibit 2 to the Deposition of Shamara Bell, the June 21, 2018 email correspondence between Shamara Bell and Jeff Jones, subject line: "Martin Tripp Call"	2	MSJ_453-455
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27	37	Exhibit 11 to the Deposition of Shamara Bell, the June 20, 2018 email correspondence between Brooke Airey and Avery Bustamante, subject line: "FW: Martin Trip: Possible Threat," (TRIPP00906)	2	MSJ_456-457
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1	38	Exhibit 12 to the Deposition of Shamara Bell, the June 20, 2018 email correspondence between Avery Bustamante, Shamara Bell, Angel Besinaiz, Brooke Airey, and Kristin Kerowicz, subject line: "Martin Trip: Possible Threat," (TES-TRIPP 0003386-88)	2	MSJ_458-461
2	39	June 20, 2018 email correspondence between Shamara Bell and Kristin Kerowicz, subject line: Martin Trip: Possible Threat," (TES-TRIPP 0004022-23)	2	MSJ_462-464
3	40	June 20, 2018 email correspondence between Sarah O'Brien and Julia Wong, subject line: "Query re: Martin Tripp and your emails," (TES-TRIPP 0010122-31)	2	MSJ_465-475
4	41	June 20, 2018 email correspondence between Drew Harwell and Dave Arnold, subject line: "Hi from Washington Post," (TES-TRIPP 00221996-2002)	3	MSJ_476-483
5	42	June 21, 2018 email correspondence between Don Reisinger and Dave Arnold, subject line: "Fortune inquiry on Tripp's comments" (TES-TRIPP 0004024-25)	3	MSJ_484-486
6	43	Exhibit 3 to the Deposition of Dave Arnold, the June 20, 2018 email correspondence between Drew Harwell and Dave Arnold, subject line: "Hi from Washington Post" (TES-TRIPP 0006183-89)	3	MSJ_487-494
7	44	June 21, 2018 email correspondence between Sarah O'Brien and Dave Arnold, subject line: "Hi from Washington Post" (TES-TRIPP 0009687-700) [Filed under seal]	3	MSJ_495-509
8	45	Exhibit 4 to the deposition of Dave Arnold, the June 21, 2018 email correspondence between Dave Arnold and Lora Kolodny, subject line: "CNBC query-Martin Tripp interview in WaPo – whistleblower claims" (TES-TRIPP 0006175-76)	3	MSJ_510-512
9	46	August 28, 2018 email correspondence from Arlan Adamsen to himself, subject line: "FW: Conversation with Kristin Kerowicz" (TES-TRIPP 0000971-73)	3	MSJ_513-516
10	47	Sean Gouthro, Storey County Sheriff's Office Felony Report (TRIPP01253-66)	3	MSJ_517-531
11	48	Excerpts from the certified transcript of James Uelmen's June 25, 2018 interview with Nicolas Gicinto and Justin Zeefe (TES-TRIPP 0028348)	3	MSJ_532-541
12	49	Martin Tripp's Second Amended Response and Objections to Tesla's Interrogatory No. 7, served on June 13, 2019 [Filed under seal]	3	MSJ_542-548
13	50	Tesla's Amended Response and Objections to Martin Tripp's Interrogatory No. 13, served on May 20, 2019 [Filed under seal]	3	MSJ_549-554
14	51	Exhibit 41 to the deposition of Martin Tripp	3	MSJ_555-557
15	A	<i>Tesla CEO Elon Musk, stressed but "optimistic," predicts big increase in Model 3 production</i> , CBS NEWS (April 13, 2018)	3	MSJ_558-563
16	B	<i>Linette Lopez, Internal documents reveal Tesla is blowing through an insane amount of raw material and cash to make Model 3s, and production is still a nightmare</i> , BUSINESS INSIDER (June 4, 2018)	3	MSJ_564-569
17	C	<i>Linette Lopez, Tesla's new Gigafactory robots that are supposed to help it ramp up Model 3 production aren't working yet</i> , BUSINESS INSIDER (June 6, 2018)	3	MSJ_570-573
18	D	Tesla Motors, Inc. Employee Proprietary Information and Inventions Agreement (TRIPP000820-23) [Filed under seal]	3	MSJ_574-578

1	E	Tesla's Communications Policy and Confidentiality Agreement (TRIPP000781-84) [Filed under seal]	3	MSJ_579-583
2	F	June 18, 2018 Email from Elon Musk to Everyone, subject line: "Some concerning news" (TES-TRIPP 0001221-1222)	3	MSJ_584-586
3	G	June 20, 2018 email correspondence between Elon Musk, Todd Maron and Sarah O'Brien, subject line: "Termination Lawsuit" (TRIPP000868)	3	MSJ_587-588
4	H	June 20, 2018 email correspondence between Elon Musk, Julie Wong, David Arnold, Press and Sarah O'Brien, subject line: "Termination Lawsuit" (TES-TRIPP 0016924-16930)	3	MSJ_589-596
5	I	July 5, 2018 Tweet from Elon Musk @lopezlinette (TES-TRIPP 0004648)	3	MSJ_597-598

8 Respectfully submitted this 31st day of March, 2020.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on the March 31, 2020, a true and correct copy of the foregoing **APPENDIX OF EXHIBITS IN SUPPORT OF TESLA, INC.'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT (VOLUME 1 of 3)** was electronically filed with the Clerk of the Court by using CM/ECF service which will provide copies to the following counsel of record registered to receive CM/ECF notification.

/s/ CaraMia Gerard
An employee of McDonald Carano LLP